

Message Text

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ACTION PM-05

INFO OCT-01 ARA-10 ISO-00 NSC-05 SP-02 SS-15 CIAE-00
INR-07 NSAE-00 L-03 H-01 OMB-01 AID-05 TRSE-00
EB-08 IGA-02 MCE-00 ACDA-07 /072 W
-----116929 160029Z /62/40

R 151821Z SEP 77
FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 5003
INFO SECDEF WASHDC
USCINCSO QUARRY HGTS CZ

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SECDEF FOR ISA(SA)DSAA; USCINCSO FOR SCSA

C O R R E C T E D C O P Y (OMISSIONS PARA 2A LINE 2 & PARA 3
LINE 3)

E

EO 11652: N/A
TAGS: MASS, MX
SUBJECT: IMPLEMENTATION OF NEW STATUTORY CONDITION OF ELI-
GIBILITY FOR MILITARY ASSISTANCE AND TRAINING

REF: A. STATE 196640, B. MEXICO 6872

1. BY REFERENCE A, STATE TRANSMITTED PROVISIONS OF THE
INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL
ACT OF 1976 WHICH EXPANDED RESTRICTIONS ON USE AND TRANSFER
OF USG FURNISHED DEFENSE ARTICLES TO COMPREHEND TRAINING
RELATED TO DEFENSE ARTICLES. REFERENCE TELEGRAM ALSO PRO-
VIDED TEXT OF SUGGESTED DIPLOMATIC NOTE APPROPRIATE TO
MEXICO TO IMPLEMENT THE AGREEMENT. THE SUGGESTED NOTE DID
NOT MAKE THE DISTINCTION BETWEEN ACADEMIC OR PROFESSIONAL
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TRAINING AND THAT RELATING TO U.S. FURNISHED DEFENSE ARTI-
CLES, ALTHOUGH ACADEMIC AND PROFESSIONAL TRAINING IS NOT
AFFECTED BY THE LAW AND HAS IN FACT CONTINUED.

2. THIS EMBASSY HAS PROVIDED THE GOVERNMENT OF MEXICO
WITH THE SUGGESTED DIPLOMATIC NOTE. REFERENCE B PROVIDED
PROBABLE MEXICAN OBJECTIONS TO THE AGREEMENT BASED ON IN-

FORMATION GATHERED INFORMALLY. NO ANSWER TO THE DIPLOMATIC NOTE HAS BEEN PROVIDED BY THE GOM. AT THIS POINT, EITHER NO ANSWER OR A NEGATIVE ANSWER IS EXPECTED, PROBABLY NO ANSWER. IN VIEW OF LIKELY NEGATIVE IMPACT IN EITHER CASE, EMBASSY HAS REVISED THE SUGGESTED DIPLOMATIC NOTE WITH THE FOLLOWING OBJECTIVES:

A. SOFTEN THE WORDING WHICH THE GOM MAY CONSIDER TO IMPLY UNWARRANTED INTERFERENCE WITH ITS SOVEREIGNTY WHILE AT THE SAME TIME MAINTAINING THE SPIRIT AND INTENT OF THE LAW.

B. CONVERT THE LANGUAGE OF THE DIPLOMATIC NOTE TO SPECIFIC TERMS RELATING TO TRAINING IN CONNECTION WITH U.S. DEFENSE SUPPLIED ARTICLES WHERE APPLICABLE. IT IS RECOGNIZED THAT THE NOTE WAS PROVIDED IN GENERAL TERMS TO FORESTALL MIS-UNDERSTANDINGS, BUT IT IS EMBASSY'S OPINION THAT U.S.-MEXICO RELATIONS REQUIRE CLARITY AND SPECIFICITY IN THIS MATTER.

3. TEXT OF THE REVISED SUGGESTED DIPLOMATIC NOTE FOLLOWS:

BEGIN TEXT: THE EMBASSY OF THE UNITED STATES OF AMERICA PRESENTS ITS COMPLIMENTS TO THE SECRETARIAT OF FOREIGN RELATIONS OF THE GOVERNMENT OF MEXICO AND HAS THE HONOR TO PRESENT THE FOLLOWING REVISIONS TO ITS PREVIOUS NOTE OF 27 APRIL 1977 WHICH TRANSMITTED RECENTLY ENACTED PROVISIONS LIMITED OFFICIAL USE

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OF UNITED STATES LAW AFFECTING ELIGIBILITY FOR U.S. MILITARY ASSISTANCE AND TRAINING. THE PROVISIONS OF THE INTERNATIONAL SECURITY ASSISTANCE AND ARMS EXPORT CONTROL ACT OF 1976 ESTABLISH NEW STATUTORY AUTHORITY FOR MILITARY EDUCATION AND TRAINING WHICH HERETOFORE HAS BEEN FURNISHED BY THE UNITED STATES GOVERNMENT AS A DEFENSE SERVICE UNDER ITS MILITARY ASSISTANCE PROGRAM. IN ADDITION, THEY ESTABLISH CERTAIN CONDITIONS WITH RESPECT TO U.S. FURNISHED TRAINING RELATING TO DEFENSE ARTICLES. THESE CONDITIONS INCLUDE THE FOLLOWING:

A. WITHOUT THE CONSENT OF THE UNITED STATES GOVERNMENT, THE GOVERNMENT OF MEXICO AGREES THAT IT WILL REFRAIN FROM:

- (1) PERMITTING ANY USE OF SERVICES OR TRAINING RELATING TO DEFENSE ARTICLES FURNISHED BY THE UNITED STATES GOVERNMENT, BY ANYONE NOT AN OFFICER, EMPLOYEE, OR AGENT OF THE GOVERNMENT OF MEXICO.
- (2) TRANSFERRING OR PERMITTING ANY OFFICER, EMPLOYEE, OR AGENT OF THE GOVERNMENT OF MEXICO TO TRANSFER SUCH SERVICES OR TRAINING BY GIFT, SALE, OR OTHERWISE, OR
- (3) USING OR PERMITTING THE USE OF SUCH SERVICES OR TRAINING FOR PURPOSES OTHER THAN THOSE FOR WHICH FURNISHED BY

THE UNITED STATES GOVERNMENT.

B. IT FURTHER AGREES TO:

(1) MAINTAIN THE SECURITY OF SUCH SERVICES OR TRAINING AS ARE FURNISHED BY THE UNITED STATES GOVERNMENT; AND WILL PROVIDE SUBSTANTIALLY THE SAME DEGREE OF SECURITY PROTECTION AFFORDED TO SUCH SERVICES OR TRAINING BY THE UNITED STATES GOVERNMENT.

(2) FURNISH, AT THE REQUEST OF THE GOVERNMENT OF THE UNITED STATES OF AMERICA, INFORMATION REGARDING THE USE OF SUCH SERVICES OR TRAINING AND FURNISH NECESSARY INFORMATION TO REPRESENTATIVES OF THE UNITED STATES GOVERNMENT WITH REGARD TO THE USE OF SUCH SERVICES OR TRAINING, AND

(3) RETURN TO THE UNITED STATES GOVERNMENT SUCH SERVICE LIMITED OFFICIAL USE

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ACTION PM-05

INFO OCT-01 ARA-10 ISO-00 NSC-05 SP-02 SS-15 CIAE-00
INR-07 NSAE-00 L-03 H-01 OMB-01 AID-05 TRSE-00
EB-08 IGA-02 MCE-00 ACDA-07 /072 W
-----116918 160027Z /62/40

R 151821Z SEP 77

FM AMEMBASSY MEXICO
TO SECSTATE WASHDC 5004
INFO SECDEF WASHDC
USCINCSO QUARRY GHTS CZ

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C O R R E C T E D C O P Y (SIGNATURE OMITTED)

OR TRAINING MATERIALS FURNISHED ON A GRANT BASIS AS ARE NO LONGER NEEDED FOR THE PURPOSES FOR WHICH FURNISHED, UNLESS

THE UNITED STATES GOVERNMENT CONSENTS TO OTHER DISPOSITION.

THE SECRETARIAT'S REPLY STATING THAT THE FOREGOING IS ACCEPTABLE TO THE GOVERNMENT OF MEXICO, SHALL, TOGETHER WITH THIS NOTE, CONSTITUTE AN AGREEMENT BETWEEN THE GOVERNMENTS ON THIS SUBJECT, TO BE EFFECTIVE FROM THE DATE OF THE SECRETARIAT'S NOTE IN REPLY.

(COMPLIMENTARY CLOSE) END TEXT.

4. REQUEST THAT STATE REVIEW THE FOREGOING REVISED DIPLOMATIC NOTE AND PROVIDE CONCURRENCE OR OTHER SUGGESTED REVISIONS BASED ON EXPERIENCE WHICH MAY ENABLE EMBASSY TO CONCLUDE THE REQUIRED AGREEMENT WITHOUT FURTHER AWKWARD LIMITED OFFICIAL USE

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DELAY. EMBASSY IS NOT CONVINCED THAT GOM WILL AGREE TO THIS REVISED NOTE. IF DEPARTMENT CONCURS IN TEXT AS REVISED HEREIN, EMBASSY WOULD PLAN, AT TIME IT CONSIDERS APPROPRIATE, TO CONSULT GOM INFORMALLY ON THIS TEXT BEFORE SUBMITTING IT FORMALLY, AND WOULD NOT SEND REVISED TEXT IN FORMAL NOTE UNLESS EMBASSY RECEIVED INDICATIONS THAT GOM IS PREPARED TO AGREE TO NEW TEXT. LUCEY

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MILITARY ASSISTANCE, MILITARY TRAINING, MILITARY AGREEMENTS
Control Number: n/a
Copy: SINGLE
Sent Date: 15-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MEXICO15501
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770353-0868, D770335-0597
Format: TEL
From: MEXICO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770960/aaaabyuj.tel
Line Count: 198
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 862aaa45-c288-dd11-92da-001cc4696bcc
Office: ACTION PM
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 STATE 196640, 77 MEXICO 6872
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1264512
Secure: OPEN
Status: NATIVE
Subject: IMPLEMENTATION OF NEW STATUTORY CONDITION OF ELI- GIBILITY FOR MILITARY ASSISTANCE AND TRAINING
TAGS: MASS, MX, US
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/862aaa45-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009